IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

LETTERS PATENT APPEAL NO.177 OF 2006
WITH
CIVIL APPLICATION NO.232 OF 2006

Maharashtra Jeevan Pradhikaran & Ors. ... Appellants

Vs.

Rajendra Prabhakar Ingawale & Ors. ... Respondents

Ms. Neeta Karnik for the appellants.

Mr. A.V. Bandiwadekar for respondent 1.

CORAM : SMT. RANJANA DESAI &
SMT. V.K. TAHILRAMANI, JJ.

DATED : 12TH SEPTEMBER, 2006.

P.C.:-

1. We have heard the learned counsel for the parties.

2. The learned counsel for the appellant instructed by Mr. Bhatkhande, the Law and Liaison Officer of the appellant and Mr. Bandiwadekar, the learned counsel appearing for respondent 1 have stated that no reasons be assigned for the following order which in the facts and circumstances of the present case will, in our opinion, meet the ends of justice.

3. The order of termination dated 31/3/1997 is quashed and set aside. Respondent 1 shall be reinstated on his post on 1/10/2006. The appellant

shall pay to respondent 1, 40% of the back wages within a period of four weeks from today. The remaining amount of back wages shall be deposited by the appellant in this court within a period of four weeks from today. On such deposit being made, the Registrar General is directed to deposit the same in any of the nationalized banks. The said amount will abide by the final order which may put to rest the dispute between the parties. The appellant will be at liberty to initiate fresh inquiry after supplying respondent 1 copies of relevant documents and the report of the District Collector, Kolhapur. The inquiry shall be conducted in accordance with the relevant rules. If the decision taken by the appellant is adverse to the respondents, it shall not be implemented for a period of four weeks from the date of communication. All contentions of both sides are kept open. The learned counsel for respondent 1 drew our attention to order dated 12/8/1998 in Writ Petition No.3235 of 1998 passed by this court and contended that the inquiry should be conducted in the light of the Government Resolution dated 24/06/1997. The learned counsel for the appellant says that the said resolution is not before the court and, hence, she is not able to make any statement.

4. The letters patent appeal and the connected civil application are disposed of in the aforestated terms.

[SMT. RANJANA DESAI, J.]

[SMT. V.K. TAHILRAMANI, J.]